

**SUPREME COURT MINUTES  
TUESDAY, JULY 15, 2008  
SAN FRANCISCO, CALIFORNIA**

**S163919**      D052778 Fourth Appellate District, Div. 1      **4 POINT PIPELINE  
CONSTRUCTION, INC. v.  
WORKERS' COMPENSATION  
APPEALS BOARD/(FLORES)**

Petition order withdrawn      (civil case)

Pursuant to written request of petitioner the above-entitled petition for review is ordered withdrawn.

**S067353**      **PEOPLE v. GONZALES  
(IVAN JOE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Craig Buckser's representation that he anticipates filing the appellant's reply brief by March 2009, counsel's request for an extension of time in which to file that brief is granted to September 15, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

**S089609**      **PEOPLE v. DELGADO  
(ANTHONY GILBERT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 12, 2008.

**S093803**      **PEOPLE v. SEUMANU  
(ROPATI)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Nanette Winaker's representation that she anticipates filing the respondent's brief by September 8, 2008, counsel's request for an extension of time in which to file that brief is granted to September 8, 2008. After that date, no further extension is contemplated.

**S153183** H029324 Sixth Appellate District**PEOPLE v. KIM (HYUNG  
JOON)**

Extension of time granted

On application of amicus curiae California Attorneys for Criminal Justice and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief in support of Respondent Kim is hereby extended to July 28, 2008. An answer thereto may be served and filed by any party twenty days after the filing of the brief.

**S156555** B195121/B195370 Second Appellate District, Div. 1 **HARRIS (FRANCES) v. S.C.  
(LIBERTY MUTUAL  
INSURANCE COMPANY)**

Extension of time granted

On application of amicus curiae Consumer Attorneys of California and good cause appearing, it is ordered that the time to serve and file its application and amicus curiae brief is hereby extended to August 4, 2008.

An answer to the amicus brief may be served and filed by any party on or before 20 days from the date the brief is filed.

**S159524** D050408 Fourth Appellate District, Div. 1 **W. (NOLAN) ON H.C.**

Extension of time granted

On application of Real Party in Interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 16, 2008. No further extensions of time are contemplated.

**S162570** **MURRAY (KEVIN) v.  
ALASKA AIRLINES, INC.**

Extension of time granted

On application of defendant and appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to August 18, 2008.

**S162675** F051812 Fifth Appellate District**PEOPLE v. STONE  
(NICHOLAS SCOTT)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Patricia L. Watkins is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

**S163132**      D050830 Fourth Appellate District, Div. 1      **S. (RAYMUNDO), IN RE**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Kurt D. Hermansen is hereby appointed to represent appellant on the appeal now pending in this court.

**S163609**

**UPHOLT ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that THOMAS LEIGH UPHOLT, State Bar No. 67868, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S163612**

**WOLFF ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that JULIE LYNN WOLFF, State Bar No. 142531, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S163615**

**JUNG ON DISCIPLINE**

Recommended discipline imposed

It is ordered that HUME JOSEPH JUNG, State Bar No. 184215, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed March 17, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S163620****SCHWERTFEGER ON  
DISCIPLINE****Recommended discipline imposed**

It is ordered that FRANK DENNIS SCHWERTFEGER, State Bar No. 128041, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 90 days and until he makes restitution to Thomas Mower in the amount of \$10,000 plus 10 percent interest per annum from December 1, 2004 (or to the Client Security Fund to the extent of any payment from the fund to Thomas Mower, plus interest and costs, in accordance with Business and Professions Code section 6140.5), and furnishes satisfactory proof thereof to the State Bar's Office of Probation in Los Angeles, and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California, as recommended by the Hearing Department of the State Bar Court in its decision filed on March 19, 2008. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code, section 6140.5, subdivisions (c) and (d). Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S163623****GILROY ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that JOHN M. GILROY, State Bar No. 64126, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)